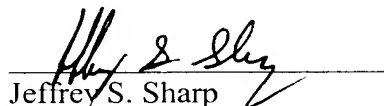


PATENT

Attorney Docket No.: 27656/38053

IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Applicant:	) I hereby certify that this paper is being
HAFEN, Ernst	) deposited with the United States Postal
	) Service as first class mail, postage
	) prepaid, in an envelope addressed to:
Serial No.: 10/019,098	) Commissioner for Patents, Washington,
	) DC 20231 on this date:
Filed: December 20, 2001	)
	) February 14, 2002
For: IN VIVO MODEL SYSTEM	)
FOR TYPE-2 DIABETES	)
	) 
Group Art Unit: Not yet assigned	) Jeffrey S. Sharp
	) Reg. No. 31,879
Examiner: Not yet assigned	) Attorney for Applicant

**ASSERTION OF SMALL ENTITY STATUS**  
**UNDER 37 C.F.R. §1.27(c) AND REQUEST FOR REFUND UNDER §1.28**

Commissioner for Patents  
Washington, DC 20231

Sir:

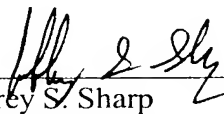
The undersigned hereby asserts, in accordance with 37 C.F.R. §1.27(c)(1) and (c)(2)(i), that small entity status is entitled to be asserted in this application. Small entity status should therefore be established in the application.

The applicant also hereby respectfully requests a refund of \$571.00 for the overpayment of the utility application filing fee for a large entity paid December 20, 2001. The small entity fee of \$571.00 should have been submitted. This refund request is made in accordance with 37 C.F.R. §1.28(a) and (b). This refund request is timely filed within three months of the mistaken payment of the large entity filing fee.

The Commissioner is hereby authorized to credit the refund to Deposit  
Account No. 13-2855 of the applicant's representative.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6357  
(312) 474-6300

  
\_\_\_\_\_  
Jeffrey S. Sharp  
Reg. No. 31,879  
Attorney for Applicant

February 14, 2002